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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fourteenth session

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 1 May 1996, at 3 p.m.

Chairperson: Mr. ALVAREZ VITA

CONTENTS

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Initial report of Paraguay (continued)

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 4) (continued)

Initial report of Paraguay (E/1990/5/Add.23; E/C.12/1995/LQ.1/Rev.1; HRI/CORE/1/Add.24) (continued)

1. At the invitation of the Chairperson, Mr. Loizaga and Mr. Ugarriza (Paraguay) took places at the Committee table.

Articles 13 and 14. Right to education (issues 34-38)

2. Mr. LOIZAGA (Paraguay) said that the universal right to education was enshrined in Paraguay's Constitution. In 1994, the share of the Ministry of Education and Worship in Paraguay's overall budget had been 18.6 per cent, and that figure had since been exceeded. A national educational reform had been instituted in 1990 and included a revision of the curriculum to make it more suitable for a pluralistic society: pupils were to be taught to understand the new political processes, and the necessary reading materials were distributed by the Government to all pupils in the first three years of primary education. As to the request to provide statistics on the numbers, by sex, enrolled in the various levels of education over the previous five years, he gave the Chairperson, for the use of members of the Committee, a copy of a document containing education statistics culled from the 1992 census; the document provided information regarding repetition of courses and drop-out rates. Efforts were being made to steer those who had abandoned their studies towards vocational training. The Government also conducted literacy programmes for adults, children and even members of the armed forces.

3. As to teachers' salaries, he said that teachers worked two of the three daily shifts - morning, afternoon and evening - and in 1989 had been paid on average the equivalent of US$ 40 per shift. Teachers' salaries were not yet high enough, and in the past two years they had gone on strike on two or three occasions in support of demands for higher pay. The Government had launched a project to improve teachers' working conditions; it intended that they should eventually work only one shift a day and have the opportunity to improve and update their skills during the other shift.

4. "Democracy" was taught as a subject and embraced human rights. Members of the armed forces and the police, who had previously been virtually compelled to violate human rights in the course of their work, now had access to human rights education programmes.

5. Turning to the provision of adult education, he said that there was an adult literacy department in the Ministry of Education and Worship. There were more than 635 adult education centres which were attended by 40,155 students and 2,227 teachers. The Ministry of Education and Worship also ran extension programmes. Courses in adult education centres were supplemented by programmes on State radio.

6. The CHAIRPERSON asked how the principle of the freedom of education operated in Paraguay and whether there was any form of favouritism, i.e. favouring Catholic education over the education provided by other religions.

7. Mrs. JIMENEZ BUTRAGUEÑO expressed surprise at the name of the Ministry, and asked why it was called the Ministry of Education and Worship. She requested more information about the content of human rights education and about the importance and impact of education on gender equality. She asked about the role of women in the police force, and whether there were women magistrates and judges.

8. Mrs. BONOAN-DANDAN said she had information which suggested that in the education budget schools in urban areas received highly favourable treatment. It was her understanding that the salaries of teachers in rural areas had not been paid on a regular basis and had had to be supplemented by contributions from parents. She therefore wondered whether primary education was really free. She also asked what education programmes and curricula were available for indigenous communities.

9. Mr. TEXIER expressed concern about the number of children of primary-school age who were shown in the report (E/1990/5/Add.23) to be already in work; he therefore wondered to what extent the compulsory nature of primary education was enforced. He asked if there were specific programmes to deal with the matter. Article 14 stipulated that States parties not able to secure compulsory primary education, free of charge, undertook, within two years, to work out and adopt a detailed plan of action for its progressive implementation within a reasonable number of years. He requested information regarding the proportion of private to public education at all levels and more information on the literacy campaigns. The report suggested that there was still a relatively high illiteracy rate in Paraguay, and he wished to know whether the problem was greater in rural areas and among women. He asked to what extent the adult literacy efforts were targeted, and whether there was a national plan.

10. Mr. RATTRAY said there seemed to be a two-tier education system in terms of quality: the repeat and drop-out rates in the public sector were markedly higher than in the private sector. He asked whether the quality of education provided in the public sector was inferior to that available in the private sector.

11. Mr. ADEKUOYE said he was also worried about the high drop-out rate in primary schools. It was his understanding that the scheme to teach the Guarani language in rural areas had not really taken root; he wanted to know how successful and widespread it was, and whether it also operated in metropolitan areas. There had been a great expansion of education in Paraguay in the past 10 years, but the quality had not really improved that much, especially in the rural areas. He wondered if that was because of discrimination in the disbursement of the education budget and in the assignment of teachers, and because of the problem of the irregular payment of teachers' salaries. He asked what was being done to create a more congenial atmosphere in the rural areas, leading to an improvement in the standard of education.

12. Mr. THAPALIA requested clear statistics regarding rates of literacy as between men and women, urban and rural inhabitants, and indigenous and non-indigenous inhabitants. The delegation had said in relation to human rights education that "democracy" was taught as a subject and included all matters relating to human rights; he wished merely to observe that although human rights and democracy were complementary, they were not the same. He asked whether the Government of Paraguay was taking steps to provide human rights education to other sectors of society as well as the armed forces, the police and prison staff.

13. Mr. AHMED congratulated the Government of Paraguay on its achievement in expanding education in the past two decades. Budgets and enrolments had increased impressively, but it was obvious to the Committee that that was not enough to meet the needs of the country. Less than 43 per cent of the population completed primary education, and of the 133,000 who had been enrolled in primary schools only 17,000 had finished secondary school in 1992. More money and effort were needed to improve education in Paraguay, and he wondered if the Government envisaged increasing the education budget over the next five years beyond 20 per cent.

14. Mr. LOIZAGA (Paraguay) said that since 1992 Catholicism had no longer been the official religion of Paraguay; there was complete freedom of religion. There was no favouritism by the State or the Church with regard to freedom of education. Discrimination was prohibited in the Constitution, and that prohibition was respected in day-to-day practice. There were small, private schools and educational institutions run by religious organizations other than the Catholic Church. As for the name of the Ministry of Education and Worship, it was for each country to decide which ministry dealt with worship: in the past in Paraguay it had been the Ministry of Foreign Affairs. Religious organizations and orders were required to adopt their own statutes.

15. Although Paraguay had not yet achieved an optimum level of gender equality and differences remained, efforts were being made to incorporate women at various levels of government, the police and the armed forces.

16. Human rights education was something that was relatively new in Paraguay; since 1989 there had been a growing interest in human rights at all levels of society, and notably in the armed forces.

17. Under the educational reform programme, rural schools were to be given priority and a number of new regional teacher-training institutions had been established. Efforts at decentralization might have led to administrative difficulties over the prompt payment of teachers in remote areas in some cases. The contributions by parents that had been referred to were quite customary and were always directed to the upkeep or improvement of school premises or sports facilities and never used to pay teachers' wages.

18. Special efforts were being made to encourage children between 12 and 14 not to drop out of school. The evening classes he had mentioned had been instituted for that purpose and remained free of charge.

19. A reference had been made to discrepancies between the results achieved in public and in private schools. The schools in rural areas were largely

public and, in the towns, public schools were often situated in the poorer districts. Children in the public schools, therefore, tended for various reasons to be less physically and mentally healthy than children attending private schools and more liable to suffer from learning disabilities. The Government was trying to deal with that problem. For example, a project had recently been set up, with international assistance, for the distribution of iodine to children in rural areas to ward off thyroid problems that could result in cretinism.

20. As to the status of Guarani, he said that Paraguay was proud to have preserved it as an official language together with Spanish. The teaching of Guarani was compulsory in both public and private schools, in town and country alike. Research was currently being carried out jointly with a United States university into the best means of providing that form of bilingual education. Guarani was studied and learned in the capital, although it was not much used in daily life there; country dwellers knew a good deal of Spanish but mainly used Guarani. "Jopará", a mixture of Spanish and Guarani, was spoken throughout the national territory.

21. The programme for the reform of education in Paraguay was definitely under way and its results would be measurable within the next three or four years. The appointment of the Educational Reform Council, which comprised government officials, non-governmental associations and teachers, had been a great step forward. A loan of US$ 20 million from the Inter-American Development Bank would be used by the Government to put the educational reform programme into effect. The teaching of human rights, which already formed part of the curriculum of the Faculty of Law of the National University, was being given increasing importance. A plan was being worked out for its introduction throughout the education system. Regarding the amount spent on education, he said that the Government had been inspired by its belief that to enable the country to move forward and to achieve an acceptable quality of life, education for all was vital. It had therefore decided to cut back in less productive areas of public expenditure and to devote 20 per cent of the budget to education.

22. The CHAIRPERSON said that the Ministry of Education's school enrolment statistics seemed to show discrimination in favour of boys. He would like more information on that point. He also asked whether private schools, which were largely Catholic, could operate entirely outside the State system and impose such special requirements on their pupils as the production of baptism certificates and proof of the religious marriage of their parents.

23. Mrs. JIMENEZ BUTRAGUEÑO noted that paragraph 209 of the report referred to the regularization of non-matrimonial unions. She asked whether children considered to have been born out of wedlock were registered as such.

24. Mr. LOIZAGA (Paraguay) said that Roman Apostolic Catholicism was firmly rooted in Paraguay and 90 per cent of the population professed that religion. There was, however, no religious discrimination and Catholic private schools could not impose the kind of requirements mentioned by the Chairperson. Special religious programmes, such as confirmation classes, could be offered, but they must not be compulsory.

25. In response to the question about indigenous education, he pointed out that information on the matter was given in the report (paras. 356 (e) and 384). Further details could be provided in writing. The registration of children as legitimate or illegitimate had ceased with the adoption of the new Civil Code.

26. The CHAIRPERSON asked whether the process of privatization under way in Paraguay included the school system. Would education continue to be free of charge?

27. Mr. LOIZAGA (Paraguay) said that efforts were being made to promote more private participation, in pre-primary and university education in particular, but the State's obligation to provide compulsory and free basic education in public schools was unchanged. Efforts were also continuing to promote free secondary and university education. There were many completely free secondary schools in the capital and in the interior, and the State University was also free of charge.

Article 15. Right to take part in cultural life and to enjoy the benefits of scientific progress and protection of the interests of authors (issues 39-42)

28. Mr. LOIZAGA (Paraguay) said that there were a number of organizations and associations in Paraguay working together to raise cultural standards. Such bodies were represented on the Educational Reform Council and had taken part in the drafting of the new national curriculum. Formerly, public education had been entirely in the hands of the State and such participation was a new departure. The Constitution provided that publications or activities that had significant value in the promotion and dissemination of culture should not be subject to taxation. Scientific and technological research was being encouraged, particularly in the fields of economics and rural development. In earlier times, there had been a tendency for cultural associations to be suspected of intent to destabilize the Government, but now groups interested in raising the country's cultural standards were encouraged.

29. The moral and material interests of the authors of scientific, literary or artistic works were protected under the Civil Code, with copyright being valid for 40 years after death. The cultural property of members of ethnic groups was protected under the provisions of the Constitution recognizing and protecting the indigenous heritage. Some of the institutions engaged in the study and protection of the habitat and culture of the various indigenous peoples were listed in the report (para. 406) and additional information would be provided in writing if required. The Ministry of Education and Worship had sponsored a number of publications on themes relating to indigenous culture and its preservation. He observed that Paraguay was a party to the Berne Convention of 1886.

30. Mr. AHMED inquired whether any newspapers or works of literature were published in Guarani and whether any restriction was imposed on cultural imports. Were satellite television dishes permitted and did the people of Paraguay receive Brazilian and Argentine television programmes?

31. Mr. CEAUSU said he realized that the Government of Paraguay had not been given a sufficiently precise indication of the information usually required by

the Committee regarding a State party's cultural infrastructure. It was perhaps too late to request statistics on the number of libraries, theatres, museums, cinemas and radio and television sets in Paraguay. He would, however, appreciate more information on Paraguayan cultural institutions and the percentage of cultural programmes in Guarani. Given the fact that 40 per cent of the population spoke only Guarani, what was being done to ensure equal access to culture?

32. Mr. TEXIER said he was also concerned about the right of everyone, including minority groups, to take part in cultural life. What was being done to preserve the people's rich artistic and musical heritage and how was the Paraguayan Cultural Institute ensuring survival of the 17 ethnic cultures which formed an intrinsic part of Paraguayan culture? The disappearance of unique civilizations was, after all, a major problem in Latin America. Although the Guarani language did not appear to be in danger of extinction, concerted action was needed to ensure that the lifestyle and customs of the various ethnic groups were safeguarded.

33. Mr. LOIZAGA (Paraguay) assured the Committee that the preservation of culture was one of the Government's main priorities. Several newspapers published extensive sections in Guarani on a daily or weekly basis, thus keeping the language alive and recording Guarani customs, myths and sayings which were so often lost in translation. Until 1947, Guarani speakers had been considered second-class citizens; now it was those who did not speak Guarani who were deemed deficient. Guarani was an inseparable part of Paraguayan culture.

34. No controls were imposed on the flow of information. Sixty to seventy per cent of the international television programmes received in Geneva were also available in Paraguay. Freedom of access was guaranteed, even if that sadly meant exposing young people to potentially corrupting material.

35. An average of 10 pages of Guarani were published each week. There were also editions of Guarani music and a long-awaited Guarani-language dictionary was now being used in all schools. A highly successful first exhibition of Guarani baroque art had recently been held in Paris with the support of the French Government

36. There were 17 ethnic groups in Paraguay, each with their own language. Guarani was often used as a lingua franca, although it was not common to all. The Government hoped to promulgate the use of indigenous languages. Indigenous customs were a part of daily life, handed down from before colonial times. Guarani reservations had been set up in the western part of the country to preserve what UNESCO called the "common heritage of mankind". The Government, with Spain's cooperation, was also encouraging the conservation of popular church art.

37. The CHAIRPERSON asked whether Paraguay was receiving any technical assistance from the Centre for Human Rights. What were Paraguay's needs regarding the promotion of economic, social and cultural rights?

38. Mr. WIMER ZAMBRANO wished to inform the Committee that UNESCO was now voting on a major project involving the publication of a series of bilingual

Guarani-Spanish specialized dictionaries. The project would also cover the indigenous languages of Central America and Mexico, and such terminology fields as building and agriculture, with a view to avoiding ambiguity and the borrowing of Spanish terms.

39. The CHAIRPERSON, speaking in a personal capacity, expressed his concern for the preservation of indigenous languages.

40. Mrs. JIMENEZ BUTRAGUEÑO asked whether special prices existed to encourage the poorer members of the population and older persons to visit cultural institutions such as libraries and museums. Considering that the older members of indigenous groups were often the best sources of information on traditions, was their knowledge being put to good use? Did retired teachers continue to contribute to the community?

41. Mr. LOIZAGA (Paraguay) said that a technical assistance project had been initiated in conjunction with the Centre for Human Rights for the purpose of formulating a comprehensive national human rights plan. The main focus was on education with a view to enhancing awareness of human rights and the democratic and pluralistic coexistence which must prevail in modern Paraguay.

42. In response to Mrs. Jimenez Butragueño's questions, he said that reading was being encouraged with the assistance of the Ministry of Education and Worship and local councils, which were upgrading public libraries, the aim being to decentralize the current system and increase local community involvement. Libraries on wheels now travelled from town to town encouraging young people to take an interest in reading and research. The experience and wisdom of older persons was being fully exploited and they were not discriminated against. It must be remembered that the population was very young, with 70 per cent below the age of 30. Young people needed to be encouraged to make a more active contribution to society.

43. Mr. AHMED asked whether a course in human rights was available in law faculties. In other countries undergoing democratic transition, courses promoting the understanding of human rights had been given to representatives of public order such as the police and the judiciary. Such courses would be particularly apt given that there had presumably been a different attitude to human rights under the dictatorial regime. He also inquired whether there were any Guarani-language radio stations. Were any Guarani songs particularly popular with the public?

44. The CHAIRPERSON said that it was important for the Committee to be told what obstacles Paraguay was experiencing in implementing the Covenant in order to establish where assistance was most needed.

45. Mr. LOIZAGA (Paraguay) admitted that the situation in his country was not perfect and that his delegation's report had, in fact, been very realistic. Such a report would not have been possible under the old regime. His delegation had nothing to hide from the Committee and hoped the report would enhance the international community's interest in Paraguay's development.

46. Replying to Mr. Ahmed, he said he was unable to inform him of the exact number of radio programmes in Guarani, but there were hundreds of stations

throughout the country, at least 80 per cent of which broadcast programmes in Guarani. Guarani music was also regularly featured. Previously, on public holidays, 50 per cent of music broadcast had had to be in Guarani, but a more liberal attitude was now being adopted. Paraguay could boast three television channels, with 15 minutes of morning news in Guarani. There were also Guarani-language channels in rural areas.

47. The obstacles to ensuring observance of rights resembled those of other developing countries. Paraguay was currently undergoing an economic recession, with increased unemployment. The social budget was necessarily limited since priority must be given to meeting basic needs. The intention of the Government was to encourage participation in cultural life by all, despite economic difficulties.

48. He referred to a week-long seminar on human rights held in his country in 1992 with the support of the Centre for Human Rights. That had been only two years after the birth of the new democracy. Generals and members of the police force and the judiciary had attended. The seminar had been the subject of a special report prepared by the University of Asunción and the Catholic University.

49. In 1989, when the democratically-elected Parliament had been convened for the first time, the American Convention on Human Rights had been ratified, as had the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

50. The CHAIRPERSON thanked the Paraguayan delegation and NGOs for their cooperation; the Committee looked forward to receiving further information from them on Paraguay.

51. Mr. LOIZAGA (Paraguay) said that he was glad to have been present during the examination of the report at a time when the democratic process in Paraguay was being threatened. He expressed his Government's willingness to cooperate further with the Committee.

The meeting rose at 5.05 p.m.